

Sri H. V. KOJALGI.—Is it not in the interest of the public to give this information?

Sri B. D. JATTI.—It is a matter concerning different religions; it is not necessary for the Government to give that information.

Sri G. VENKATAI GOWDA.—Is there a restriction placed to embrace any other religion?

Sri B. D. JATTI.—It is a matter concerning different religions. That is why Government have said that they have no information.

Sri J. B. MALLARADHYA.—I think the House is concerned more with conversion rather than embracing. I should like to know the number of persons who are converted to various religions?

Sri B. D. JATTI.—As far as I am concerned, I do not know about embracing. Sri Mallaradhyha knows it better (*Laughter*).

Sri H. V. KOJALGI.—A number of persons are being converted to Christianity. In order to stop it, is it not necessary to keep this information?

Sri B. D. JATTI.—That is a matter of opinion. Government does not think it necessary to keep it.

Dr. R. NAGAN GOWDA.—Conversion of people from one religion to another affects the political condition of the State to a certain extent. So, is not the Government interested in finding out what is happening?

Sri B. D. JATTI.—At least I do not know how political conditions are involved in it.

Appointment of Munsiffs.

*Q.—25. **Sri H. V. KOJALGI** (Sampagaon I).—

Will the Government be pleased to state:—

(a) the number of Munsiffs (Civil Judges) appointed by the High Court of Mysore since the date of integration till today;

(b) out of the total number of Munsiffs appointed how many are from the clerical cadre;

(c) whether applications were called for appointments and if so, on what dates;

(d) whether any appointments of Munsiffs have been made without the applications being called for and if so, how many?

A.—**Sri B. D. JATTI** (Chief Minister).—

(a) Appointments are not made by the High Court. Government have appointed 26 temporary Munsiffs in exercise of the powers vested in them as per sub-rule (2) of Rule 15-A of the Mysore Munsiffs (Recruitment) Rules, 1958.

(b) Fifteen.

(c) In respect of 16 appointments, applications were not called for and in respect of 10 appointments applications were called for in March 1959 by the High Court.

(d) Yes, 16.

Sri H. V. KOJALGI.—May I know why these 16 appointments were made without calling for applications?

Sri B. D. JATTI.—Under the rules the High Court is entitled to get the names of the ministerial staff working in the High Court or in other courts and if they fulfil all the conditions necessary under the rules, they will recommend to the Government and Government will appoint them.

Sri G. VENKATAI GOWDA—In all these 16 cases, may I know whether the appointments have been made from the clerical cadre?

Sri B. D. JATTI.—They are from the ministerial cadre and all of them are not graduates.

Sri A. R. KARISIDDAPPA.—Is it a fact that the Law Graduates that are working in the Legislature Secretariat are barred from applying for these posts?

Sri B. D. JATTI.—Under the Rules, the staff which is working in the Law Department is entitled to apply but not the staff working in other Departments.

Sri G. SIVAPPA.—May I know whether the Government has made the appointments without the recommendation of the High Court?

Sri B. D. JATTI.—Government cannot appoint without the recommendation of the High Court.

Sri G. SIVAPPA.—Are the recommendations made by the High Court accepted by Government *in toto*?

Sri B. D. JATTI.—So far as I know, we generally accept *in toto* the recommendations made by the High Court.

Sri V. P. DEENADAYALU NAIDU.—In spite of their long service, experience and qualification, is it admissible to ask them to sit for certain tests?

Sri B. D. JATTI.—It may or may not be admissible. But when they have better experience, there is no difficulty in passing the test.

Sri G. SIVAPPA.—If the appointments are temporary, till what period they will officiate as Civil Judge or Munsiff?

Sri B. D. JATTI.—Only for a period of one year at a time.

Sri G. B. SHANKAR RAO.—It is said that these Civil Judges will be appointed for a certain period. May I know whether their services will be terminated after that period is over and fresh appointments will be made?

Sri B. D. JATTI.—After the period is over, they can be removed from service.

Sri C. K. RAJAIAH SETTY.—What prompted the Government to make these temporary appointments?

Sri B. D. JATTI.—These were vacancies which had to be filled in immediately. Rules and regulations were to be framed and pending the framing of the rules and regulations, Government thought it necessary to make these temporary appointments.

Sri C. J. MUCKANNAPPA.—Under what rule 16 persons were appointed as Munsiffs without calling for applications?

Sri B. D. JATTI.—I have already replied to that question. I request the Hon'ble Member to go through the Mysore Munsiffs (Recruitment) Rules, 1958.

Sri C. J. MUCKANNAPPA.—Supplementary to (c): What was the principle adopted in doing so?

Sri B. D. JATTI.—I have already replied to that question. It is the discretion of the High Court whether

to call for applications and interview or to recommend the staff working in the High Court or other courts.

Sri G. DUGGAPPA.—Is it competent for the Government to make appointments without reference to the High Court?

Sri B. D. JATTI.—I have already replied that it is only on the recommendation of the High Court that Government has appointed.

Sri G. N. PUTTANNA.—Only the clerical staff of the Law Secretariat is allowed to sit for the examination. The staff of the Legislature Secretariat has a very narrow field. Supposing there are persons with sufficient qualifications, what bars them from sitting for this examination? After all, it is a Government order and Government order is nothing but man-made order. Therefore, is not the Government competent to change it?

Sri B. D. JATTI.—All the Acts are man-made and are made by this Hon'ble House. According to the present rules, that is the arrangement.

Sri G. N. PUTTANNA.—Will the Government be pleased to change the rules?

Sri B. D. JATTI.—That is a suggestion for action.

Sri J. B. MALLARADHYA.—Will the Hon'ble the Chief Minister tell us what were the circumstances in which the High Court called for applications in respect of 10 appointments and made recommendations in respect of 16?

Sri B. D. JATTI.—Recommendations were made in respect of persons who were working either in the High Court or in other courts and applications were called for from the members of the bar.

Sri J. B. MALLARADHYA.—Has the High Court got the discretion to appoint without calling for applications? If so, under what provision of law?

Sri B. D. JATTI.—They know the antecedents and history of the persons working in the High Court and other courts and therefore they did not call for applications from them. In the case of direct recruitment from the bar

they called for applications as they do not know these things about the applicants.

Sri J. B. MALLARADHYA.—What is the power vested in the High Court to call for applications in respect of some and dispose of some appointments without calling for applications?

Sri B. D. JATTI.—The High Court has the discretion to recommend or to call for applications.

Sri G. B. SHANKAR RAO.—May I know whether this Government is honestly thinking of evolving uniform rules in the matter of recruitment of Munsiffs and District Judges?

Sri B. D. JATTI.—This has been considered very honestly and then done.

Sri K. PUTTASWAMY.—May I know whether it is incumbent on the High Court to follow a prescribed procedure before a recommendation is made?

Sri B. D. JATTI.—We do not prescribe any procedure for the High Court but in emergencies they make recommendations for temporary appointments.

Sri K. PUTTASWAMY.—May I know whether the High Court itself has prescribed a procedure in this matter?

Sri B. D. JATTI.—Government has no information about the procedure they follow.

Sri ALUR HANUMANTHAPPA.—Is there any proposal before the Government to fix an age limit while appointing Munsiffs from the official cadre and from the bar?

Sri B. D. JATTI.—That is known.

Sri A. S. PATIL.—Why is there such an inordinate delay in framing rules for permanent appointments?

Sri B. D. JATTI.—As the Hon'ble Member knows, it is due to the coming in of different administrative units consequent upon the States Reorganisation. Now, there is no delay.

Sri H. V. KOJALGI.—In the case of these ten appointments, is it not a fact that these ten officers have been appointed without their passing the test though the rules are ready?

Sri B. D. JATTI.—It is not necessary for temporary appointments.

Sri G. B. SHANKAR RAO.—How long will it take for Government to frame the uniform rules?

Sri B. D. JATTI.—I have already replied. The Hon'ble Member perhaps did not hear properly. Rules have been already framed and the Public Service Commission are calling for applications and they will interview the candidates. Tenth is the last date.

Sri Y. VEERAPPA.—May I know whether the Public Service Commission will follow the Rules rigidly or whether they will relax?

Sri B. D. JATTI.—Rules are there to be followed.

Sri G. B. SHANKAR RAO.—What will they do in respect of these temporary munsiffs not made permanent?

Sri B. D. JATTI.—It depends upon the Public Service Commissioner.

Sri G. B. SHANKAR RAO.—Has it come to the notice of the Government that if only they had called for applications, there would have been more applications from the ministerial cadre?

Sri B. D. JATTI.—That may be the imagination of the Hon'ble Member.

Abolition of the Posts of Village Patils.

*Q.—27. **Sri H. V. KOJALGI** (Sampagaon I).—

Will the Government be pleased to state:—

whether they have decided to abolish the posts of patils in the villages?

A.—**Sri KADIDAL MANJAPPA** (Minister for Revenue).—

Yes.

Sri H. V. KOJALGI.—May I know from what date these posts are going to be abolished, Sir?

Sri KADIDAL MANJAPPA.—I cannot tell you the date. Any how, the Bill to abolish the hereditary offices in the New State of Mysore has been prepared.

[†] Indicates that the remarks or speeches have not been revised by the member concerned.